

United States District Court

NOV 24 2017

SOUTHERN

DISTRICT OF

TEXAS
David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Angel Daniel RODRIGUEZ-Ortiz, YOB: 1997 MEX
 Pedro Alan CHAVEZ-Perez, YOB: 1991 MEX
 Jesus Antonio SANCHEZ-Baltierra, YOB: 1999 MEX
 Jose Brian GALVAN-Mendez, YOB: 1989 MEX
 Edwith Arath GARCIA-Ornelas, YOB: 1999 MEX

CASE NUMBER: *M-17-2127-M*

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 11/23/2017 in Hidalgo county, in the Southern District of Texas defendant(s) did, (Track Statutory Language of Offense)

Knowingly and Intentionally possess with Intent to Distribute approx. 104.5 kilograms or more of Marijuana, a Schedule I Controlled Substance.

Knowingly and Intentionally Conspire to possess with Intent to Distribute approx. 104.5 kilograms or more of Marijuana, a Schedule I Controlled Substance

in violation of Title 21 United States Code, Section(s) 846, 841 (a) (1)

I further state that I am a(n) DEA Task Force Officer and that this complaint is based on the following facts: See Attachment "A".

Continued on the attached sheet and made a part of hereof: ☒ Yes ☐ No

approved by
11/28/17 KSO

[Signature]
 Signature of Complainant
 Carlos Mireles, DEA Task Force Officer

Sworn to before me and subscribed in my presence,

November 24, 2017 *8:39 am* At
 Date

McAllen, Texas
 City and State

Peter E. Ormsby, U.S. Magistrate Judge
 Name & Title of Judicial Officer

[Signature]
 Signature of Judicial Officer

Attachment

On November 23, 2017, Border Patrol Agent (BPA) Tyler Wilmot was performing line watch operations in Penitas, Texas. At approximately 6:15 pm, the Aerostat Alpha 1 (A1) camera operator observed several subjects travelling north across Military Highway in Havana, Texas. Several of these subjects that were observed carrying suspected bundles of narcotics.

At approximately 6:18 p.m., a camera captured the image of several subjects carrying bundles of suspected narcotics in the same area, confirming what the Aerostat Alpha 1 had observed. Once on location, BPA Wilmot and several other agents began searching the area where the group was last seen. BPA Benjamin Weightman and BPA Wilmot began walking a trail, commonly used by subjects in this area, searching for the subjects as well as the bundles of suspected narcotics.

At approximately 7:00 p.m., BPA Weightman, BPA Wilmot, and other agents continued to search the area. Upon searching the area, BPA Weightman and BPA Wilmot observed footprints in the sand indicating that the group had possibly traveled north of where they were searching. As agents walked north they observed five (5) large bundles of suspected marijuana hidden in the brush. Agents then secured the bundles and began to search of the area to locate the subjects who were carrying the bundles.

At approximately 7:25 p.m., BPAs Rodolfo Hernandez and Zachary Nieves, who were located approximately twenty (20) yards north of where the bundles were located, apprehended four (4) subjects. At that time, the Air and Marine helicopter observed two (2) additional subjects running south away from the area where the bundles and four (4) apprehended subjects were located. BPA Edgar Silguero arrived to the location and apprehended the two (2) subjects. Agents were able to confirm that at least two of the apprehended aliens matched the description of those who were captured in a camera image. Four of the subjects apprehended had marks on their shoulders consistent with carrying large objects on their backs. The bundles field tested positive for marijuana and weighed approximately 104.5 kilograms.

On that same date, DEA McAllen TFOs Carlos Mireles and Eduardo Hernandez and SA Steven Picone responded to the McAllen Border Patrol Station to interview the six (6) subjects. It was determined that only five (5) of the subjects were involved in transporting the bundles of marijuana. At that time, each subject was advised of their Miranda Rights by TFO Mireles, as witnessed by SA Picone and TFO Hernandez and they each waived their Rights.

The first subject interviewed was Jose GALVAN-Mendez. GALVAN-Mendez stated that on November 23, 2017, he crossed illegally into the United States from Mexico. Once in the United States, GALVAN-Mendez was advised to carry a bundle of marijuana or else he would be left behind. GALVAN-Mendez then agreed to carry the bundle of marijuana. The second subject interviewed was Jesus SANCHEZ-Baltierra. SANCHEZ-Baltierra first stated that he did not carry any bundles of marijuana, but later advised that he was approached in Mexico and asked to transport a bundle of marijuana into the United States for a payment of \$200 USC and he agreed to transport.

The third subject interviewed was Pedro CHAVEZ-Perez. CHAVEZ-Perez stated that he was approached in Mexico to transport bundles of marijuana in the United States for \$200 USC. CHAVEZ-Perez stated that he agreed to transport the marijuana and was carrying a bundle of marijuana on November 23,

2017. The fourth subject interviewed was Edwith GARCIA-Ornelas. GARCIA-Ornelas stated that on November 23, 2017, he crossed into the United States illegally and once in the United States, he was asked to carry a bundle of marijuana and agreed to do so. The fifth subject interviewed was Angel RODRIGUEZ-Ortiz. RODRIGUEZ-Ortiz stated that on November 23, 2017, one of the subjects carrying a bundle of marijuana advised that he was tired so RODRIGUEZ-Ortiz took the bundle and transported it.